

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

THOMAS DENNEY, R. THOMAS WEEKS, NORMAN
R. KIRISITS, KATHRYN M. KIRISITS, TD CODY
INVESTMENTS, L.L.C., RTW INVESTMENTS, L.L.C.,
NRK SYRACUSE INVESTMENTS, L.L.C., DKW
PARTNERS, DKW LOCKPORT INVESTORS, INC.,
DONALD A. DESTEFANO, PATRICIA J. DESTEFANO,
DD TIFFANY CIRCLE INVESTMENTS L.L.C.,
TIFFANY CIRCLE PARTNERS, DIAMOND ROOFING
COMPANY, INC., JEFF BLUMIN, JB HILLTOP
INVESTMENTS L.L.C., KYLE BLUMIN, KB HOAG
LANE INVESTMENTS, L.L.C., L. MICHAEL BLUMIN,
MB ST. ANDREWS INVESTMENTS, L.L.C.,
FAYETTEVILLE PARTNERS, and LAUREL HOLLOW
INVESTORS, INC., on their own behalf and on behalf
of all others similarly situated,

Plaintiffs,

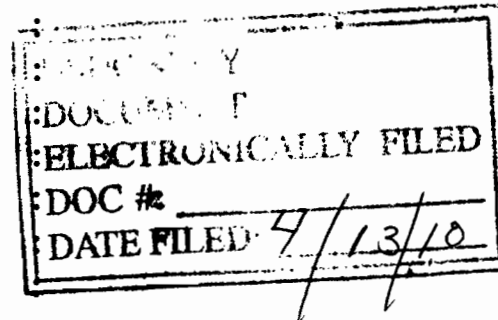
- against -

JENKENS & GILCHRIST, a Texas Professional
Corporation, JENKENS & GILCHRIST, an Illinois
Professional Corporation, BDO SEIDMAN, L.L.P.,
PASQUALE & BOWERS, L.L.P., CANTLEY &
SEDACCA, L.L.P., DERMODY, BURKE, AND BROWN,
CERTIFIED PUBLIC ACCOUNTANTS, PLLC, PAUL M.
DAUGERDAS, PAUL SHANBROM, EDWARD
SEDACCA, DEUTSCHE BANK AG, and DEUTSCHE
BANK SECURITIES, INC., d/b/a DEUTSCHE BANK
ALEX BROWN, A DIVISION OF DEUTSCHE BANK
SECURITIES, INC.,

Defendants.

----- X

SHIRA A. SCHEINDLIN, U.S.D.J.:



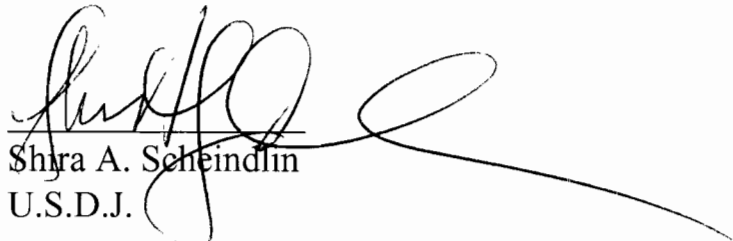
ORDER

03 Civ. 5460 (SAS)

On December 16, 2009, Sam Torolopoulos requested leave to file a late proof of claim against the settlement fund established in the above captioned action. On December 23, 2009, I denied the request and directed Torolopoulos to bring the matter before the Co-Special Masters for a recommendation. On April 12, 2010, the Co-Special Masters notified the Court of their recommendation to deny Torolopoulos's application.

If Torolopoulos is dissatisfied with the Co-Special Masters' recommendation, he may submit a letter totaling no more than five (5) pages by April 20, 2010. Class counsel may respond via letter totaling no more than five (5) pages by April 26, 2010. Torolopoulos may submit a reply letter totaling no more than five (5) pages by May 3, 2010. No sur-reply letters will be permitted.

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
April 13, 2010

- APPEARANCES -

For Plaintiffs:

Jeffrey H. Daichman, Esq.
Nahum A. Kianovsky, Esq.
Kane & Kessler, P.C.
1350 Avenue of the Americas
New York, New York 10019
(212) 541-6222

Jeven R. Sloan, Esq.
W. Ralph Canada, Jr., Esq.
Canada-Withrow, LLP
233 E. College Street
Grapvine, Texas 76051
(214) 292-2600

David R. Deary, Esq.
Loewinsohn Flegle Deary, LLP
12377 Merit Drive
Suite 900
Dallas, Texas 75251
(214) 572-1700

Ernest Cory, Esq.
Cory, Watson, Crowder & Degaris
2131 Magnolia Avenue
Birmingham, Alabama 35205
(205) 328-2200

Joe R. Whatley, Jr., Esq.
Securities & Exchange Commission
3 World Financial Center, Room 4300
New York, NY 10281
(212) 447-7070

Othni J. Lathram, Esq.
Whatley Drake & Kallas, LLC
2001 Park Place Tower
Suite 1000
Birmingham, Alabama 35203
(205) 328-9576

Stephen F. Malouf, Esq.
Law Offices of Stephen F. Malouf
3506 Cedar Springs Road
Dallas, TX 75219
214-969-7373
Fax: 214-969-7648
Email: smalouf@smalouf.com
ATTORNEY TO BE NOTICED

Stewart Clancy, Esq.
Shore & Deary, L.L.P.
Chateau Plaza
2515 McKinney Avenue
Dallas, Texas 75201
(214) 360-9622

**For Defendants Cantley & Sedacca,
L.L.P., Edward Sedacca, Deutsche
Bank AG and Deutsche Bank
Securities:**

Douglas Elliot Whitney, Esq.
Michael A. Pope, Esq.
McDermott, Will & Emery
227 West Monroe Street
Chicago, Illinois 60606-5096
(312) 372-2000

Lawrence M Hill, Esq.
Dewey & LeBoeuf, L.L.P.
1301 Avenue of the Americas
New York, New York 10019
(212) 259-8000

Michael R. Young, Esq.
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019
(212) 728-8000

Shari C. Lewis, Esq.
Rivkin Radler, L.L.P.
EAB Plaza
Uniondale, New York 11556-0111
(516) 357-3000

Joshua D. Harvey, Esq.
Mintzer, Sarowitz, Zeris, Ledva &
Meyers
1528 Walnut Street
Philadelphia, Pennsylvania 19102
(215) 735-7200

For Sam Torolopoulos:

Chalon N. Clark, Esq.
Brown McCarroll, L.L.P.
2001 Ross Avenue, Suite 2000
Dallas, Texas 75201
(214) 999-6100